

EV733587747US

**DECLARATION AND POWER OF ATTORNEY
FOR DESIGN AND UTILITY PATENT APPLICATION**
ATTORNEY'S DOCKET NO.:
720734.00004

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled APPARATUS FOR FORMING STACKS the specification of which (check one) ☐ is attached hereto, ☐ was filed on 12/16/04 as Application No. 10/518,295 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: _____

<u>10228061.4</u>	<u>Germany</u>	<u>17/06/2002</u>	Priority Claimed
(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

_____ (Application No.)	_____ (Filing Date)
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I hereby claim benefit under Title 35, United States Code §120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided in the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and all continuation and divisional applications based thereon, and to transact all business in the Patent and Trademark Office connected therewith:

3 Michael J. McGovern, Reg. No. 28,326; Michael A. Jaskolski, Reg. No. 37,551; David G. Ryser, Reg. No. 35,467. Direct all telephone calls to Michael J. McGovern at telephone no. (414) 277-5000. Address all correspondence to: Michael J. McGovern c/o Quarles & Brady, 411 East Wisconsin Ave., Milwaukee, WI 53202-4497.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF SOLE OR FIRST INVENTOR <u>Heribert ORTH</u>	INVENTOR'S SIGNATURE <u>[Signature]</u>	DATE <u>17.11.2008</u>
RESIDENCE <u>Hofaecker 3, 74532 Ilshofen, Germany</u>	CITIZENSHIP <u>German</u>	
POST OFFICE ADDRESS <u>see "residence"</u>		

10/518295

DTG Rec'd PCT/PTO 16 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :

U.S. National Serial No. :

Filed :

PCT International Application No. : PCT/EP2003/004690

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below;

That I am knowledgeable in the German language in which the below identified international application was filed, and that, to the best of my knowledge and belief, the English translation of the international application No. PCT/EP2003/004690 is a true and complete translation of the above identified international application as filed.

I hereby declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application issued thereon.

Date: November 1, 2004



Full name of the translator :

Wendy Elizabeth LIGHT

For and on behalf of RWS Group Ltd

Post Office Address :

Europa House, Marsham Way,
Gerrards Cross, Buckinghamshire,
England.

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Heribert ORTH

Execution Date(s) November 17, 2004Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No**3. Nature of conveyance:**

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)Name: OPTIMA FILLING AND PACKAGINGInternal Address: MACHINES GMBHStreet Address: Steinbeisweg 20City: Schwaebisch Hall

State: _____

Country: Germany Zip: 74523Additional name(s) & address(es) attached? ☐ Yes ☒ No**4. Application or patent number(s):**☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/518,295

B. Patent No.(s)

07/07/2005 HIKAYPAGH 00000143 170055 10518295

02 Fee \$8021 40.00 DA

Additional numbers attached? ☐ Yes ☒ No**5. Name and address to whom correspondence concerning document should be mailed:**Name: Michael J. McGovern

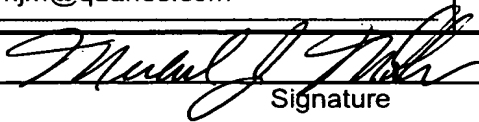
Internal Address: _____

Street Address: QUARLES & BRADY LLP
411 E. Wisconsin AvenueCity: MilwaukeeState: Wisconsin Zip: 53202Phone Number: 414.277.5725Fax Number: 414.203.0190Email Address: mjm@quarles.com**6. Total number of applications and patents involved:**1**7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00**

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Informationa. Credit Card Last 4 Numbers _____
Expiration Date _____b. Deposit Account Number 17-0055

Authorized User Name _____

9. Signature:

Signature

Michael J. McGovern

Name of Person Signing

June 30, 2005

Date

Total number of pages including cover sheet, attachments, and documents:

3Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

ASSIGNMENT

WHEREAS, I Heribert ORTH (name) of Hofaecker 3, 74532 Ilshofen, Germany (city, state, country) have made certain inventions which are described in an application for Letters Patent of the United States entitled Apparatus for forming stacks executed by me on even dates herewith preparatory to obtaining United States Letters Patent therefore, and

WHEREAS, OPTIMA FILLING AND PACKAGING MACHINES GMBH (hereinafter referred to as said Company), a German (state or country) corporation having a place of business at Steinbeisweg 20, 74523 Schwaebisch Hall, Germany (city, state, country) are desirous of acquiring the entire interest in said inventions throughout the United States of America and the territories thereof, for all other countries and under all international agreements,

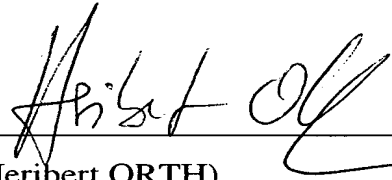
NOW, THEREFORE, for and in consideration of One Dollar (\$ 1.00) to me in hand paid, and other good and valuable consideration, receipt whereof is hereby acknowledged, I hereby sell, assign and transfer unto said Company, its successors and assigns, the entire right, title and interest throughout the United States of America and the territories thereof, for all foreign countries and under all international agreements in and to foreign countries and under all international agreements in and to said inventions, the aforesaid application, all other applications hereafter filed in the United States, in any other country, or under any international agreement based in whole or in part on said inventions, and all Letters Patents granted upon said applications by the United States, by any other country or under any international agreement, and I do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Company. I further grant to said Company, its successors and assigns, the right to claim for any of said applications

the full benefits and priority rights of any international agreement between the United States and any foreign country or countries or between any other countries.

I hereby warrant that I have the full right to make the conveyance herein, and I hereby covenant that me, my heirs, legal representatives and assigns, will when requested, communicate to said Company, its representatives, successors and assigns, all facts known respecting said inventions, execute all divisional, continuing, reissue, reexamination and foreign or international applications, together with individual assignments therefore, make all rightful oaths, sign all lawful papers, testify in any legal proceeding and generally do everything possible to aid said Company, its successors and assigns, in the obtaining of Letters Patent.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal at the location and on the date indicated with my signature.

17.11.2004
Date:


(Heribert ORTH)